

# **STRENGTHENING ROLE AND PARTICIPATION OF WOMEN MEMBERS IN PANCHAYATS**

**REPORT  
OF  
THE  
NATIONAL  
WORKSHOP  
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**INSTITUTE FOR SOCIO-ECONOMIC DEVELOPMENT  
28, DHARMA VIHAR, BHUBANESWAR,  
ORISSA - 751030, INDIA.  
PHONE : (0674) 470302 FAX : 91-674-470312**



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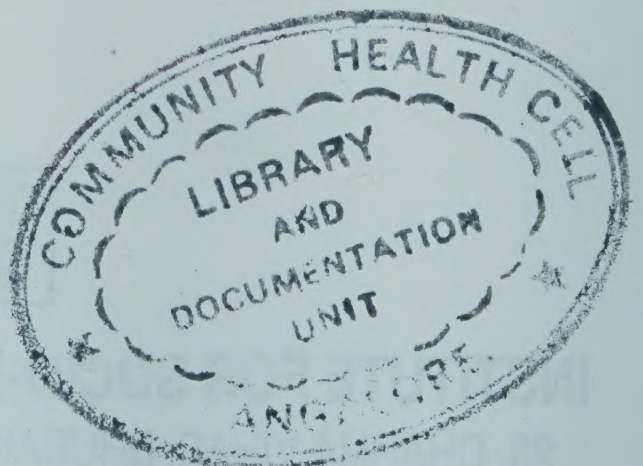


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## PRELUDE TO THE EXPOSITION

Doubts have been raised in an historical perspective about the viability of an institution (Panchayati Raj) which has a long if arduous history. Use of money and muscle power, proxy wars between political parties, number of women representatives contesting merely as shadows of their husbands or fathers, inadequate financial resources, onerous tasks and responsibilities, undue interference from a bureaucracy rooted in colonial past are some of the problems charted out by many observers. The apprehension seems to be whether these institutions as founts of native intelligence and wisdom would be instrumentalised as mere satellites of an omnibus central authority or would they have enough leeway for generating internal resources commensurate with equitable growth. In other words, would their empowerment lead to greater sensibility towards habitat, or, would the vicious circle of mindless exploitation of natural resources continue? Would these institutions become the harbinger of real devolution of power? The questions are many and varied. And the apprehensions seem to have a ring of truth.

Panchayati Raj as an institution, howsoever limited, in its role as an institution of self-governance yet remains the only futuristic option — a space to be creatively cultivated and nurtured for articulating need-based aspirations. It was with this view that ISED, as a voluntary organisation, decided to make programmatic interventions in the domain of Panchayati Raj institutions. Having had variegated field experiences distributed over time, ISED felt a long-term intervention as part of its learning and sharing exercise was long overdue.

A beginning towards this was made during the middle of July 1993 by organising a three-day workshop involving some NGOs and women Panchayat members. The workshop recommended preparation of learning materials for Panchayat members and involvement of large number of NGOs in the process. As a follow-up of the workshop, ISED has been organising series of consultation meetings with NGOs and Panchayat members at the grassroots level and also preparing learning materials in Oriya.

It was decided to start off by providing educational support to



NGOs and elected Panchayat members, especially women. Prior to the convening of the national workshop, a three-day preparatory meeting at the regional level involving NGOs and women Panchayat members was organised. Participants belonged to the districts of Nuapada, Nayagarh, Phulbani, Koraput, Balasore, Mayurbhanj, Ganjam, Dhenkanal, Bolangir, Puri and Angul. Nearly 24 NGOs expressed their commitment to work as a team for strengthening the Panchayati system. A state level NGO forum, as a pressure group for lobbying purposes, was mooted. Consequently, a national workshop from 19th-21st May, 1994, was organised at Bhubaneswar for thrashing out a workable strategy towards the empowerment of local self-governance institutions. The workshop also expected to facilitate the formation of a State-level NGO forum for lobbying with various actors associated with the Panchayati Raj System in Orissa. The forum is expected to provide a common framework towards strengthening the Panchayats with gender perspective and function in close contact with other NGOs working with similar objective in various parts of the country.

## **A BRIEF OVERVIEW ON THE EVOLUTION OF PANCHAYATI RAJ SYSTEM**

The history of Panchayati Raj institution dates back to 10th century A.D., in particular during the Chola period (evidence: Uttarameru Inscriptions). The Colonial Government had evolved a system of local self-government for rural India which was doomed to failure since it was implanted from above by an alien administration. It was in this context that Gandhi propounded his views on the Panchayat system of self-governance drawing heavily from the notion of "Panch Parmeshwar" as divine fountain of native wisdom at the village level. He counterposed Panchayati Raj and Ram Raj against the colonial system of administration in the nationalist struggle for independence. His conception of Gram Swaraj posits decentralisation of power as a part and parcel of decentralisation of economy. He visualised a village community producing enough for meeting the basic requirements of food, shelter and clothing for all its members as a prerequisite for real devolution of power. However, his conception of village as a self-sustaining unit of economy did not find



favour with the post-Independent leadership led by Nehru.

After Independence, several provincial governments organized local self-government in the rural areas and endowed them with power and authority to carry out various functions in order to satisfy administrative requirements and for maintaining contact with the people down to the lowest level. With the framing of the Indian Constitution, this very idea became the philosophical cornerstone of Panchayati Raj institution and was eventually canonized as Article 40 of the Directive Principle of State Policy (DPSP).

The most pressing problem faced by the nation after Independence was the development of rural economy with the professed aim of social and economic transformation. The Community Development Programme and the National Extension Service were launched in quick succession in 1952 and 1953 respectively, to initiate and accelerate the pace of development. The Second Plan Document recommended restructuring local self-government and development administration, at the district level, on democratic lines, with the village Panchayat forming the base and organically linked to the higher tiers of administration.

The Balwantray Mehta Committee was appointed in 1957 to suggest measures for efficacious utilization of resources in various plan projects. The crucial part of Balwantray Mehta Report is the chapter titled **“Democratic Decentralization”**. The idea of democratic decentralization was based on the premise that the executive machinery through which a modern democracy has to function cannot adequately appreciate local needs and circumstances, unless there is devolution of power and decentralization in its working, in such a manner that power is ultimately exercised under the direct supervision and control of popular representatives, articulating local and regional aspirations. For the first time the Report recommended the inclusion of women representatives in the panchayats by co-option. These recommendations came into effect on 1st of April, 1958.

The Ashok Mehta Committee, constituted in 1977, recommended certain modifications in the performance criteria, as mooted by the earlier committee (Balwantray Mehta Committee) for improvement in



the overall efficiency and capacity of the Panchayati Raj institutions. It recommended the reduction of Panchayati Raj structure from three tier to two. It gave a green signal to the participation of political parties in Panchayat elections so as to facilitate healthier linkages with the regional and national level political processes and making them more development-oriented.

Karnataka had introduced an innovative Panchayati Raj structure popularly known as the '**Karnataka Experiment**'. A three-tier structure, comprising of Mandal Panchayat, Taluk Panchayat Samiti and Zilla Parishad, was established. The Mandal Panchayat was made responsible for the actual execution of the project on the ground level while the Taluk Panchayat Samiti was assigned the task of supervision and coordination, for integrated development of the community. For the first time, measures ensuring reservation for women representatives in the Zilla Parishad were spelled out by the Karnataka Government, for which it earned plaudits from every quarter.

Panchayati Raj was introduced with great fanfare and high hopes. No doubt, it has created a certain amount of awakening among the populace, regarding fair distribution of developmental benefits, commensurate with socio-economic justice. However, a close scrutiny of the functioning of Panchayati Raj institution reveals that initial success was soon followed doggedly by abject disappointment. Several reasons may be attributed for this unforeseen development:

- Group and factional politics has diverted the attention of the local leaders from development to politics,
- Lack of adequate financial assistance and guidance from the State government,
- Absence of regular and periodic elections,
- Dominance and eventual capture of the leadership of Panchayat institutions by rich land owning class, etc.

In order to tackle these problems, the 73rd Amendment to the Panchayati Raj Act was passed by the Parliament. In this manner, the Panchayati Raj institution was accorded constitutional authority and legal sanctity.



## SUMMARY OF THE KEYNOTE ADDRESS

By C.P. SUJAYA

Friends,

We have come here to discuss the Panchayati Raj system which has been accorded a legal status through the 73rd Amendment of the Constitution, and accordingly to devise a plan of action for strengthening women's role and participation in the Panchayati Raj system.

People from all walks of life have come here to share their views on the subject. Considering the complexities involved and the bearing the Panchayati Raj Act will have on our day to day lives, it is but natural that most of us tend to look at it from one particular angle which concerns us most.

Having said this, I would like to take this opportunity to suggest that if we can incorporate other perspectives, emanating from the discussions to be followed, into our own, we will have more than one point of departure, which will in turn help us to outgrow our confined outlook, and thereby widen and enrich our own perspectives.

**"THE IMPACT OF PANCHAYATI RAJ SYSTEM IS SO COMPLEX AND VAST THAT I THINK EACH OF US HAS A TENDENCEY TO LOOK AT IT FROM ONE PARTICULAR PERSPECTIVE. WHAT WE HAVE TO DO IS TO WIDEN OUR PERSPECTIVE BY INCLUDING THE PERSPECTIVES OF OTHER PEOPLE".**

As a bureaucrat, for the last several years, I have been trying to look at the problem from the position of laymen, social workers and women. It is a bit problematic to find out and underline the specific role women have to play in the Panchayati Raj system. I think Panchayati Raj bill should not be regarded as merely a legal document, validated by the Constitutional Amendment. Part of the reason for my saying so is that people working at the grassroots level are generally not aware of the legal processes and complexities inherent in the bill. I also think that without evolving a common vision and common perspective, based on mutual understanding, the transfer of power to the people (which is sought by the bill) will at best only be a cosmetic exercise, because being a multi-dimensional issue, it asks for a genuine effort from and



co-operation of both the Government and the people.

“I THINK WITHOUT A COMMON VISION AND COMMON PERSPECTIVE IT IS NOT POSSIBLE TO EXERCISE THE PANCHAYATI RAJ SYSTEM. THE PANCHAYATI RAJ SYSTEM IS NOT AN ONE-DIMENSIONAL ISSUE OR ONE DIMENSIONAL GOVERNMENTAL PROGRAMME OR ONE-DIMENSIONAL PEOPLE'S MOVEMENT”.

Another point which I would like to make is that, despite being the largest democracy in the world, it has taken us a long time to establish democratic values (keeping aside the distortions, which have also cropped up) in the popular psyche. Therefore, probably we will have to allow for an equally long span of time for the Panchayati Raj to set its roots firmly on the Indian soil. So instead of expecting any substantially qualitative or quantitative changes in the short run, one should adopt it in a proper time-frame and be prepared for a long struggle.

“ONE SHOULD HAVE A VISION WHICH WILL TAKE INTO ACCOUNT THAT IN INDIA DEMOCRACY HAS TAKEN A LONG TIME IN COMING AND GETTING ACTUAL LIFE AND THEN THE OPERATIONAL LIFE. CERTAINLY THE SYSTEM OF LOCAL GOVERNMENT THROUGH PANCHAYATI RAJ SYSTEM IS ALSO GOING TO TAKE AN EQUALLY LONG TIME. SO ONE SHOULD NOT HAVE SO MUCH HIGH EXPECTATION IN THE SHORT RUN. ONE SHOULD NOT LOOK FOR TOO HIGH TARGET-WHETHER IN TERMS OF QUALITATIVE OR IN TERMS OF QUANTITATIVE. ONE SHOULD ADOPT THE SYSTEM IN A PROPER TIME-FRAME AND ADOPT THE SYSTEM FOR LONG-SUSTAINED STRUGGLE”.

Since Panchayati Raj proposes restructuring of Government, with decentralization of power as its core agenda, we have to see that it does not turn out to be a mere substitution of one hierarchical mode of functioning with that of another. On the contrary, it has to engross the tenets of self-governance at the local level with varying degrees of autonomy.

The other day, I asked Mr. Balaji Pandey, if there is any relationship between Panchayati Raj system and NGOs, and if yes, then what is the nature of this relationship? Do NGOs regard themselves as partners



in facilitating proper and people-oriented functioning of Panchayats? If the answer is affirmative, as it seems to be, then how can NGOs make sure that they will not be co-opted by the Government?. All of us know that co-operatives were started in 1905 to provide an alternative source of credit to the debt-ridden rural folk. Of late, co-operatives have undertaken every type of activity under the state umbrella, including marketing, processing, cultivating and selling of consumer goods. It does not escape our notice that government official's enjoy dominating power and total control over people's, organisation: i.e., co-operatives. One can hardly tell that the co-operatives are run in a way dissimilar to that of government offices. No one even thinks of co-operatives to be people's organisation. This glaring example automatically raises the question as to how can NGOs avert repetition of the co-operative experience, or in other words co-option by the Government.

In order to ensure people-friendly functioning of Panchayats, it is important that hierarchies be done away with and a democratic mode of conduct be institutionalised, with an equal position and status not only for the office-bearers but for the members as well.

"IT IS THE SYSTEM OF AN ALTERNATIVE STRUCTURE OF THE GOVERNMENT. AND THE BASE OF THE SYSTEM IS MUCH MORE BROAD THAN THE RUNNING OF THE SYSTEM. IT CAN NOT BE JUST A SUBSTITUTION OF A BUREAUCRACY: THAT IS, INSTEAD OF THE SECRETARY OF THE GOVERNMENT OR THE DIVISIONAL COMMISSIONER OR THE DISTRICT COLLECTOR OR THE B.D.O., TO SUBSTITUTE THE CHAIRMAN OF ZILLA PARISHAD OR CHAIRMAN OF PANCHAYAT SAMITI OR A SARPANCH. IF IT IS A SIMPLISTIC SUBSTITUTION OF ONE HIERARCHICAL MODE OF FUNCTIONING FOR ANOTHER HIERARCHIAL MODE OF FUNCTIONING, THEN THERE WILL BE A DANGEROUS PRACTICE FOR PANCHAYATI RAJ SYSTEM AND THAT IS ONE OF THE THINGS WE HAVE TO GUARD AGAINST."

At this point, we must take note of centralised planning which not only plays a vital role in maintaining the hierarchy, but has other loopholes too. In our country, blue prints are conceived on an all-India basis, which, it is obvious enough, fail to accommodate region-specific needs. For example, most of the people employed under the Jawahar



Rojgar Yojna (JRY) in Himachal Pradesh are outsiders, suggesting that JRY is not needed in Himachal Pradesh. On the contrary a region-specific scheme would divert surplus funds from states like Himachal Pradesh to those which need them most. In this context we can also consider the case of ICDS. In some areas Anganwadi workers are continuing their centres even in deserted villages where nobody resides any more.

Here, I would like to emphasise, that the people for whom the scheme or programme is being mooted, should be involved in the decision-making process and not only in the implementation of programmes designed by a central body.

“ANOTHER ASPECT OF THIS PANCHAYATI RAJ BILL IS THE TRANSFERING OF POWER: GENUINE TRANSFERING OF POWER FROM ONE SECTION TO ANOTHER. I THINK IT WILL TAKE TIME TO ADOPT THIS CULTURE. THE TRANSFERING OF POWER NEEDS A BEHAVIOURAL AND PSYCHOLOGICAL CHANGE FOR BOTH OF THE SECTIONS”.

Involving people in the decision-making process also means that they be made aware of the reasons behind the problems facing them and be helped to acquire minimum level of understanding and knowledge necessary to resolve them.

Although, 30 percent seats (in Panchyats) have been reserved for women yet to our dismay we find that there are not enough women who are eager to come forward and take up the assignments reserved exclusively for them. So, as in the previous case, here also the need to groom and educate them is deeply felt. It is here that NGOs can make a difference and probably they are best suited to do it.



## COMPENDIUM OF THE PROCEEDINGS

To sharply focus the concatenation of thoughts and to retain the flow, certain thematic heads have been given pre-eminence rather than presenting the proceedings ad verbum.

### GATT AND PANCHAYATI RAJ : ONSLAUGHT ON NATIONAL SOVEREIGNTY?

The Dunkel Proposal with its emphasis on seed patents (IPR), coupled with trade liberalization and privatization as a prerequisite for linking the national economy with international capital poses a grave threat to the existence and survival of the Panchyati Raj institutions. Today our nation is in a state of turmoil and flux, given the superabundance of fissiparous tendencies at the regional level. The process of liberalization and ensuing deregulation as a result of India being a signatory to the GATT (General Agreement on Trade and Tariffs), in conjunction with the influx of multinational corporations (MNCs), portends ominous threat to the fledgling economy, and by implication, every system of popular self-governance.

With the entry of multinational corporations, armed with the panacea of Dunkel proposals, the big landowners and other beneficiaries of green revolution, stand to benefit in net terms (vis-a-vis poor farmers) as they would be in an advantageous position to suitably tailor their agricultural strategy in consonance with the global requirements of agro-business conglomerates. Needless to add, in such a scenario, the constitutionally enshrined goal of equitable growth, would be the foremost casualty, not to speak of the entire gamut of questions related to national sovereignty. The cumulative impact of globalization would be felt most adversely by the already vulnerable rural economies in particular and their socio-political off-shoots in general.

In this context, another area of concern is the **management of common property resources (CPR)**. International aid and trade policies generally tend to promote free markets, privatisation and export-led growth—all of which lead to over-exploitation of common property resources for commercial purposes. Most of the loans from development



banks, like the World Bank and its regional counterpart, by requiring the recipient countries to pledge so-called matching funds to complement the foreign aid and investment, and by linking the repayment of loans to exports from the recipient country, unfortunately lead to exhaustion and degradation of natural resources, including CPRs at an accelerated rate. This implies that the survival of human and other life-systems—sustainability and equity as part of CPR management—would be impaired irreversibly.

The fiscal policies prescribed by the IMF/WB, as part of structural adjustment programme, would adversely affect the welfare obligations of the state. There is genuine apprehension in certain quarters that grassroots institutions of parliamentary democracy would be converted into instruments of off-loading welfaristic obligations of the Indian state, under pressure from international financial institutions. Gradually all the expenditure earmarked for the social welfare of the citizens would be transferred to local governance institutions, so that eventually they have to carry out such obligations by mobilizing their own resources. Beset with lack of adequate resources, the Gram Panchayats would be forced to look for fresh avenues of resource-mobilization, like taxing the poor, who had been otherwise exempted from income tax. This would mean that petty shopkeepers, artisans, small and marginal farmers, landless labourers and daily wage workers, traditional dais and midwives, grain loaders, etc., may be taxed for enlarging the base of revenue collection. The revenue generated will then be used for meeting the social and public health welfare targets which were till now the responsibility of the State and the Central Government. How far such off-loading of social obligations on the local self-governance institutions, by a supposedly liberal welfare state, will continue, is a matter of conjecture.

Forty years ago, the national leadership made a firm commitment towards social and distributive justice. For the real devolution and decentralization of power at the grassroots level and to remove the earlier impediments encountered in the smooth functioning of the Panchayati Raj, the Parliament adopted the **73rd Constitutional Amendment Bill** so that the aspirations of the most vulnerable sections are actualized in practice. From a different but analogous context, the Bill seeks to



give concrete shape to Gandhiji's life-long struggle and dream of 'Gram Swaraj'; albeit in a contemporaneous situation.

## PANCHAYATI RAJ : A BALANCED AND DEMOCRATIC APPROACH TOWARDS ACHIEVING GENDER EQUALITY

The age-old practice of gender bias and gender discrimination has received due consideration by the proponents of the 73rd Constitutional Amendment Bill. The Bill was the first of its kind to provide reservation for women representatives. However, a few salient questions crop up for deep reflection. Will the women of rural India be able to do justice to their new-found role, given the fact of patriarchy and educational backwardness? If so, will they be allowed to fully participate in diverse decision-making processes without gender bias? What kind of obstacles are they likely to face and what kind of remedial and ameliorative measures could be enunciated by the **powers-that-be** to ensure their meaningful participation? Will the Panchayati System prove to be a harbinger of gender equality in whatsoever a nascent form? Will it boost their morale and self-confidence while engendering forms of struggle, befitting their voice for the actualization of their legitimate demands? Will the elected women members be able to sensitise the members of Gram Sabhas (General Body of a Panchayats) on the gender issues? If so, what kind of enabling atmosphere and orientation measures be enunciated to give concrete shape to the issue of gender sensitisation at the primary level?

Women perform multiple roles, extending from home and hearth to working outside, for making a living for themselves and their family members. However, women labour power has remained todate undervalued, unrecognized and unaccounted for. For the same amount and duration of work they are paid lower wages than their male counterparts. Women have to trudge long distances for foraging firewood, minor forest produce (for own consumption and selling in the weekly markets) and potable water — a life-long arduous struggle indeed! While performing their back-breaking regimen, they simultaneously have to take care of their own safety and security, lest their bodies become a hunting ground for sexual abuse. In such a scenario, they have hardly any time or inclination



to enhance their political capacities through group formation.

Hence, the efforts of various NGOs and local governments towards awareness-building, through awareness-campaign, dissemination of literature and other communication materials and training programmes, acquires added relevance. Some very encouraging work has been done by I.S.S.T—a local NGO in Karnataka. The organisation has established a Resource Centre by collecting literature on various studies and researches undertaken by womens' groups and independent researchers, communication materials and reports about the ongoing women's movement worldwide. This literature is being effectively utilized as a vital input for the empowerment of newly-elected women representatives in the local self-government. Stories from mythology and folklore have been garnered to stress the importance of the role of women in decision-making positions and processes, the effect of attitudinal bias entrenched in the collective psyche towards the issue of gender, etc. The Resource Centre has strived to provide a multi-media package in the form of brochures, reports, audio-visuals, role-plays, simulation games, besides traditional art forms, like puppetry and folk theatre.

In West Bengal, the Panchayats have taken up developmental work specifically meant for women, while campaigning for registration of joint pattas, equal remuneration for equal work, etc. Besides, they have been organising seminars, workshops and training programmes on various problems associated with women's questions, including those confronted in the domestic and familial spheres.

Certain problems have cropped up as a consequence of the participation of women in decision-making processes at the Panchayat level. They could be charted out as follows:

- Disturbances in family life;
- Problems arising out of sudden change in the status of women after being elected to the panchayats, in the immediate society at large, and, in the family network in particular;
- The question of individual safety and security while venturing out for panchayat work.

Due attention has not yet been given to the above-mentioned



problems and the trend still continues. It must be emphasised, time, and again, that the problems arising from gender bias, are of concern to the entire civic society and not that of women's groups alone. Once this is recognized by every member of society, then and then only women's participation in Panchayati Raj institutions will have any meaning or purpose.

## **WOMEN IN PANCHAYATI RAJ INSTITUTION OVER THE YEARS : A BRIEF OVERVIEW**

Numerous studies on the role of women in politics have observed that while women participated actively in large numbers in the freedom struggle and various social movements, like peasant and trade union struggles in the pre-Independence years, their numbers in proportion to men, declined steadily in the subsequent years. The quality as well as the extent of participation in leadership and decision-making processes, eroded considerably in the later years. One of the important themes, which has generated animated debates pertains to the question of participation of women in Panchayati Raj institution. The Balwantray Mehta Committee (1957) recommended that Panchayat Samitis must co-opt two women members who have some experience or are interested in working among women and children.

Following this, a few states did make provision for women's representation. The Maharashtra Zilla Parishad and Panchayat Samiti Act of 1961, provided for the nomination of one or two women to each of the three bodies, in case women were not elected. Out of the 320 women representatives of the Panchayat Samiti and Zilla Parishad in Maharashtra in 1978, only 6 women were elected members. In many parts of India, women were recruited to Panchayats through nomination rather than election. There were other states which did not straightaway adopt co-option but resorted to it, when women could not come through direct elections. In Andhra Pradesh, since 1986, reservation of 2 to 4 seats (or 22% to 25%) was provided for the Gram Panchayats and two women members had to be co-opted in Panchayat Samities, in addition to elected women members. In Karnataka, the 1985 Act made provision for 25% reservation of women members in the Mandal Praja Parishads.



Out of these, one seat was reserved for a woman belonging to the Scheduled Caste or Scheduled Tribes. In Andhra Pradesh the 1986 Act provides for 9 percent reservation for women for the offices of Chairman of Zilla Praja Parishads and Mandal Praja Parishads.

Lack of education and awareness, conservative ethos prevalent in rural areas, patriarchal nature of the family, lack of access to information and media, etc., make women in rural areas, even more powerless than in the urban areas. So, reservation was thought to be the only mechanism for ensuring women's active participation in Panchayati Raj institutions.

With the publication of the Report of the Committee on Status of Women in India (CSWI) in 1975, a demand for the representation of women in the Panchayati Raj by reservation rather than by nomination, was voiced and reiterated. The National Perspective Plan for Women (1988) recommended that 30 percent of the executive-head positions from the village to the district level, should be reserved for women.

Thus, the debate on Panchayati Raj, concerning women, from 1957 to 1989, has been one of how to encourage women to participate actively, and in large numbers, in the Panchayati Raj institutions at various levels. As a result the Parliament passed the Constitution (73rd Amendment Act) in 1993.

### **THE CONSTITUTION (73RD AMENDMENT) ACT, 1993 AND EMPOWERMENT OF WOMEN**

The Act provides for direct election to all the seats of the panchayats at the village, block and Zilla level. It provides for a fixed tenure of five years, and regular elections to be held within a period of six months in the event of supersession of any Panchayat or at the expiry of its fixed tenure. This Act also provides for a compulsory 3-tier system in all the states, except where the population does not exceed 20 lakhs. The election to the Chairpersons of the Block Samiti and Zilla Parishad will be through indirect elections, while that of the Panchayat Chairman was left at the discretion of the State..

However, the Act is most significant in terms of reservation for women, Scheduled Castes and Scheduled Tribes. The seats reserved



for Scheduled Castes and Scheduled Tribes shall be proportionate to the population of the Scheduled Castes or Scheduled Tribes in that Panchayat area in relation to the total population of that area. Only the total number of seats to be filled by direct election will be taken into consideration in this regard. Not less than one-third of such reserved seats are for Scheduled Castes and Scheduled Tribes. Similarly, not less than one-third "including the number of seats reserved for women belonging to the Scheduled Castes and Scheduled Tribes" shall be earmarked for women. Of the total number of seats to be filled by direct election in every Panchayat some shall be reserved for women. Again, one-third of the total chairpersons of the Panchayats at each level, have to be reserved for Scheduled Castes and Scheduled Tribes, as the case may be. The State Legislatures have been given the power to reserve offices of Chairpersons in the Panchayats at each level for Scheduled Castes, Scheduled Tribes and women, as it thinks fit.

### **MAKING PANCHAYATI RAJ A POLITICALLY SELF-GOVERNING AND ECONOMICALLY SELF-SUFFICIENT INSTITUTION**

India as a nation had opted for democracy as a vehicle of development where democracy stands for the optimal and rational utilization of people's power. The national leadership in its wisdom felt that Panchayati Raj institution is the epitome of democratic values, a catalyst for social transformation and a political movement for creating space for the mobilization of the entire social system. There are some who even argue that a fourth tier may be created in addition to the existing three tiers, representing primarily the aspirations of those governed by age-old customary laws or traditional forms of self-government practised in predominantly tribal areas. They have suggested practical measures for giving legitimate status to such socio-cultural institutions in the overall task of nation-building.

The basic philosophy of the Panchayati Raj is to restore intellectual, political and economic traditions at the grassroots level. The 73rd Amendment Act, therefore, must be seen as a federal exercise for transferring power to the people where institutional responsibilities and



functions are well demarcated so as to preclude the possibility of overlapping jurisdiction. However, the notion and practice of decentralisation to come into its own, presupposes vigilant and protracted struggles of the people in their own setting, if only to obviate the possibility of its subversion by forces inimical to the spread of grassroots democracy.

The Constitution (73rd Amendment) Act, 1993 for strengthening Panchayati Raj institutions in the country came into force from 20th April, 1993, after the Bill had been passed by both the Houses of the Parliament and ratified by 17 states. Besides, paving the way for the smooth functioning of Panchayati Raj institutions on a sound footing, the Act is expected to give a new breath of life to the system of local self-governance for the implementation of rural development programmes. It is a significant step towards empowering villagers so that they are able to influence developmental planning at the micro level and for ensuring local democracy and equitable distribution of power. Some of the salient features of the Act can be delineated as follows:

The Panchayats have been bestowed with constitutional status at par with the Parliament and the Assemblies;

The Gram Sabha (General Body of a Panchayat) has been given statutory recognition;

The Act provides for a uniform **three-tier structure at the village, intermediate and district levels:**

1. **Gram Panchayat**

Village-level council, covering one or more villages, depending on the total number of population and consisting of 10-20 elected members led by the Sarpanch and the Naib-Sarpanch.

2. **Panchayat Samiti**

An intermediate body at the block level, and forming the second tier of the system, the Panchayat Samiti has jurisdiction over all the Gram Panchayats, falling within the block. It has around 10-25 members, including legislators, who elect a Chairman and a Vice-Chairman.

3. **Zilla Parishad**

The third and the apex tier, covering the entire district and consisting



of 10-35 members, who elect a Chairperson/President. The Chairperson enjoys the rank of a Minister of State, members include parliamentarians and legislators, belonging to rural parts of the district.

A uniform five-year term for the Panchayati Raj institutions and direct elections at all the three levels. The elections have been made mandatory every five years under the supervision of the State, Election Commissioner. In case of supersession, elections have to be held within six months from the date of dissolution.

Reservation of 1/3rd of the total seats and for the posts of office-bearers for women made mandatory;

Reservation for the Scheduled Castes and Scheduled Tribes in proportion to the total percentage in the population of the area. The same reservation criteria is applicable for the posts of the office bearers at all levels;

No Gram Panchayat can be dissolved or prorogued by the State Government through any amendment to the Panchayati Raj during the elected tenure of the Gram Panchayat.

For the realization of the goals of social justice and economic development, commensurate with equitable growth, Panchayats have been assigned specific responsibilities, to be carried out within the territorial jurisdiction of the concerned Panchayats (under Schedule 11). These are, education, health, land development, minor irrigation projects, small scale and cottage industries. Specific responsibilities may be given from time to time to fulfil the objectives of national schemes like Jawahar Rojgar Yojana, Indira Awas Yojana, TRYSEM, Mahila Samridhhi Yojana, etc.

Adequate financial resources to be allocated to the Gram Panchayats for carrying out their responsibilities. Every state has to constitute a Finance Commission, within one year of the Gram Panchayat election, for finding out ways and means for transferring financial resources for the Panchayati Raj institutions. The Finance Commission has to be reconstituted every five years.

### **Powers of the Panchayats**

The Panchayats have been empowered to choose their developmental



priorities, allot funds and set time-limits for programme implementation, generate internal resources, collect taxes and impose fines.

The Panchayats have been given the right of trade, removal of structures and trees, maintenance of sanitation and drainage works and sources of potable water, regulate the use of water and slaughter of animals, establish workshops, cottage industries, small scale industrial units, etc.

The Panchayats can levy taxes on business and commercial activity, collect market fees from those operating in the Panchayat territory, impose registration fees on animals sold in the market, levy encroachment penalty, wherever necessary.

However, the panchayats can play a seminal role in diverse fields, in accordance with the powers and responsibilities bestowed on them by the Constitution. They could be delineated as follows:

a) To act as a watchdog for the implementation of land reforms and land ceiling laws. Land reforms is a State subject. However, their implementation, due to various factors, has remained tardy and skewed in character. The Panchayats, having intimate links with the rural set-up can make a significant contribution towards their implementation, and act as a watchdog against their infringement by the rural elite within the village and power brokers from without. The rights of the tenants, marginal farmers and the landless require constant protection. An enlightened Panchayat leadership, if it deems so, has the requisite power and constitutional authority to protect these rights. For instance, the conscious leadership of Gram Panchayats have successfully taken up land reform campaigns and protection of tenants under Operation Barga. As a result, the sharecroppers in West Bengal could get fixity of tenure and a Sharecroppers in West Bengal could consume reasonable amount of the produce for their own consumption.

**b) Water Harvesting and Distribution**

Traditionally, in our country, Panchayats have built and maintained common sources of water. In fact, customary laws exist in many rural societies for harvesting and distribution of water for drinking



and irrigation purposes. Gram Panchayats can revive these customary laws for equitable distribution of water, not merely within the village, but in a cluster of villages. Panchayats can play a decisive role in the upkeep of wells, desiltation of tanks and ponds, protection of catchment area through vegetation cover, maintenance of handpumps etc., i.e., in the planning, management and regulation of water-use in the villages in general and in arid and drought-prone areas in particular. In this context, the role of Pani Panchayats in the state of Maharashtra could be cited as example of success.

c) **Management of Common Property Resources, Waste Lands and Forests**

In most of the rural areas, natural resources have been either vandalised or have been appropriated for the benefit of outsiders without even an iota of profit returning to their traditional owners. Marginalization of rural folk and traditional communities, coupled with their inability to assess the value of these resources, have often prevented them from benefitting from their own wealth, like forests, water and other natural resources. Hence, Panchayats can play a paramount role in harvesting these resources in a rewarding manner for the benefit of the village community as a whole without jeopardising sustainability and conservation of these resources. Besides, the Panchayats can play a long-term role in stemming environmental degradation through afforestation and watershed management. Waste land, in and around villages, could be rejuvenated with vegetation cover for fodder and fuel purposes, thereby reducing the burden on women who have to trudge long distances.

d) **Agricultural Development**

The Panchayats can provide various inputs for improving soil and yield, encourage inter-cropping and rotation of crops. They can also loan good quality seeds from the village seed bank. Through the formation of thrift and credit societies, they can advance production and consumption loans to the needy in general, and the whole community, during the distress years. Marketing co-operatives could be formed with the active support of Panchayats



for marketing farm and minor forest produce.

e) **Economic Empowerment of Women**

The panchyats can actively support women's group formation like, the Mahila Sanghas in the villages and offer them credit, marketing and training support for income-generation activities.

f) **Health**

The panchayats can make provision for potable drinking water in the vicinity of village hamlets and ensure hygiene and sanitation facilities in order to minimise the burden on women. They are also expected to make provision for adequate nutrition for pre-school children and pregnant women, by effectively organising the Anganwadi services and maternal health care services. Control of locally endemic diseases, provision for total immunization and curative health services are also some of the responsibilities on the agenda of the Panchayats.

g) **Education**

Formal, non-formal and adult education fall under the purview of the Panchayats.

h) **Social Welfare**

Running of reading rooms and community halls, organising of cultural programmes, identification of those eligible for old-age and widow pension, rehabilitation of the handicapped, are some of the key functions assigned to the Panchayats.

i) **Judicial Powers**

The Panchayats can exercise judicial powers through an institution, recognized by the Panchayat Act, known as Nyaya Panchayat or local courts. The Panchayat members can nominate the Nyaya-Panchayat members, who can try limited cases, pass sentences and levy fines, in order to settle small disputes. Given the enormous backlog of cases pending in the law courts in our country, the Nyaya Panchayats can play a significant role in deciding expeditiously local disputes and thereby reducing the burden of the judiciary.



## **PROBLEMS FACED BY PANCHAYATS IN PERFORMING THEIR RESPONSIBILITIES**

The history of the Panchayati Raj institutions in our country presents a dismal picture. Beset with numerous problems, some transitory and others endemic, coupled with lack of political will on the part of the powers that be, has impeded the smooth functioning of the Panchayats over the years. However bleak the existing scenario, Panchayats remain the last democratic place for common people to assert their rights. As such, an all-out effort must be made to meaningfully utilise this space and struggles launched to enhance the orbit of this democratic space of local self-governance. Therefore, it would be quite fruitful to analyse the nature and content of short and long-range problems faced by the Panchayats without undermining the need or the rationale for existence of such institutions of local self-governance.

### **Inadequate Financial Resources**

Shortage of funds is the greatest hindrance in the efficient working of the Panchayati Raj. Add to that is their inability to raise internal resources, given a largely pauperised countryside. Without financial teeth, to expect them to carry out developmental activities, is really asking for too much. And hence, they have to completely depend upon the State allocations. Many a time they have to wait interminably for the funds to arrive. And, when they do, they have to carry out public works in a jiffy, so as to utilise the funds in the stipulated time. Without financial resources, the Panchayats become ineffective in terms of planning and implementing developmental goals.

### **Domination of Established Power Brokers and Local Elite**

The Panchayats are often manipulated by the local landed gentry who have enormous political and economic clout. In collusion with the established power brokers in the countryside and a pliable bureaucracy, they are able to secure control of all the three tiers of the Panchayat institutions. The participation of political parties, instead of linking the Panchayats at the grassroots level to the higher echelons of decision-making bodies, has in fact, given rise to groupism, factionalism, flexing of muscle and money power — the bane of 'electrolism.'



In such a situation, it is no wonder that most of the credit facilities and welfare schemes meant for the needy are hijacked by those who have the wherewithal to provide collaterals.

### **Lack of Information, Knowledge and Skills**

The Panchayats, by and large, do not have access to information and their skill-base to carry out day-to-day functions, is very low indeed. This may include inputs for local level planning, management in the implementation of developmental programmes, accounting procedures, knowledge of legal procedures, etc. In the absence of such expertise, they are unable to deliver the goods effectively in the first place and may become unwilling tools in the hands of those who have access to such specialized knowledge and skills.

Since financial resources at the disposal of the Panchayats are grossly inadequate, and given the onerous developmental tasks assigned to them, they are left with no choice but to generate internal resources on their own, in an innovative manner. This means that the Panchayats have to evolve their own models of micro-planning, which are economically realistic and sustainable. This calls forth a high level of imagination and knowhow. The non-governmental organisations can play a seminal role in transferring requisite knowledge and skills by designing training modules, appropriate to the rural setting, as part of the overall exercise of Panchayat empowerment.

### **Role of Bureaucracy**

Historically, the bureaucracy has been a conservative force which frowns upon local initiative and interprets any expression of people's power as usurpation of its official rights. Since corruption is endemic in our society, and bureaucracy being no holy cow, it frequently resorts to dilatory tactics to realise its pound of flesh. Such bureaucratic red-tapism causes great inconvenience, besides sapping local initiative in the long run. The 73rd Constitutional Amendment, like its predecessors, does not define clearly the roles, powers and functions of the Panchayats vis-a-vis officialdom, thereby giving rise to confusion, mutual recrimination and distrust.



## **Lack of Participatory Ethos**

The Gram Sabhas (general body of a village) have not been vested with enough powers, making devolution of power incomplete or at best half-baked. It is assumed by the Panchayat functionaries that the Gram Sabha is a body which only functions by delegating its authority to the Panchayat executive. So, no effort is spared to sensitise the common villagers to collectively discuss and debate local issues in a participatory framework. As a result, villagers generally remain apathetic towards the institutions of local self-governance, since, in any case, whether they speak out or not, their voice does not matter in deciding the developmental priorities. The members of the Gram Sabhas are treated as merely passive beneficiaries of government welfare schemes, and as such, their role remains confined to elections and passive ratification of the Panchayat decisions already taken.

## **Too Many Tasks and Expectations : Negligible Resources**

Many observers feel that once the village community, however stratified, realises that too many responsibilities have been assigned to the Gram Panchayats, without adequate or matching resources, the initial euphoria about self-rule may soon give way to cynical indifference.


## **Lack of Gender Sensitisation**

Reservation for women, in whatsoever a quantum, will not dramatically alter their existential condition unless the Panchayat functionaries and the entire community is sensitised to the issue of gender. This entails subjective intervention by a conscious local leadership, in collaboration with NGOs so that people are made aware of women's contribution and their rights for self-development. Typical obstacles arising out of patriarchal relationship, so often encountered by women members of the Panchayats, have to be removed in a participatory manner.

## **ROLE OF NGOS IN THE EMPOWERMENT OF PANCHAYATS**

NGOs can play a catalytic role in terms of raising the awareness at the grassroots level about the role of Panchayats, their powers and functions and instil confidence in these institutions in an otherwise apathetic rural constituency. They can also provide an interface between





the Panchayat functionaries and the bureaucracy and create a space where both the players have enough leeway to carry on a dialogue, so that one side sheds inhibition and cynicism and the other its condescension.

They can organise seminars and workshops where experiences can be shared. The Panchayat functionaries may be drawn from such states, which have a history of success behind them, to train those functionaries who have relatively little or no experience, so that in the long run, some of the success stories may be replicated.

NGOs can design training modules for various day-to-day tasks, like accounting, maintaining records and minutes, micro-level planning and monitoring. While designing such training modules, emphasis must be given to on-job training. A team of trainers, which is mobile, can be enlisted to impart skills to the Panchayat functionaries across the territory and in their own setting.

To make the panchayat functionaries conversant with the Panchayat procedures, jurisdiction and the constitutional provisions.

To make them aware about the various government schemes and their implementation.

To make the Panchayats more gender-sensitive towards the role of women members.

To prepare and make available multi-media packages and educational kits in easily comprehensible language on various issues of rural development.

To transfer adequate skills for internal resources generation to the Panchayats so that they are able to tide over financial difficulties. NGOs, in collaboration with planners, can empower the Panchayats to explore fresh avenues of revenue-generation for augmenting their financial resources in an innovative manner. To conscientize all the members of Gram Sabha so that people take decisions in a participatory manner and make the Panchayat executive accountable for their actions.

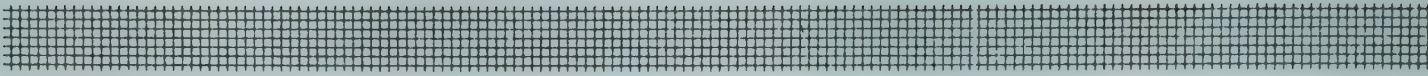


## APPENDIX

What Panchayats can do under Schedule 11

1. Agriculture, including agricultural extension.
2. Land improvement, implementation of land reforms, land consolidation and soil conservation.
3. Minor irrigation, water management and watershed development.
4. Animal husbandry, dairying and poultry.
5. Fisheries.
6. Social forestry and farm forestry.
7. Minor forest produce.
8. Small scale industries, including food processing industries.
9. Khadi, village and cottage industries.
10. Rural housing.
11. Drinking water.
12. Fuel and fodder.
13. Roads, culverts, bridges, ferries, waterways and other means of communication.
14. Rural electrification, including distribution of electricity.
15. Non-convention energy sources.
16. Poverty alleviation programme.
17. Education, including primary and secondary schools.
18. Technical training and vocational education.
19. Adult and non-formal education.
20. Libraries.
21. Cultural activities.
22. Markets and fairs.
23. Health and sanitation, including hospitals, primary health centres and dispensaries.



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24. Family welfare.
  25. Women and child development.
  26. Social Welfare, including welfare of the handicapped and mentally retarded.
  27. Welfare of the weaker sections, and in particular, of the Scheduled Castes and the Scheduled Tribes.
  28. Public distribution system.
  29. Maintenance of community assets.



## LIST OF PARTICIPANTS

**C.P. SUJAYA**  
SECRETARY  
GOVERNMENT OF  
HIMACHAL PRADESH  
SIMLA.

**DR. GEORGE MATHEW**  
INSTITUTE OF SOCIAL SCIENCES (ISS)  
B-7/18, SAFDARJUNG ENCLAVE  
NEW DELHI-110 029.

**DR. BIDYUT MOHANTY**  
INSTITUTE OF SOCIAL SCIENCES (ISS)  
B-7, EXT-18, SAFDARJUNG ENCLAVE  
NEW DELHI-110 029.

**T.K. ROY**  
INSTITUTE FOR RESOURCE  
MANAGEMENT AND ECONOMIC  
DEVELOPMENT  
C-191, VIVEK VIHAR  
DELHI-110 092.

**MS. SANDHYA SRINIVASAN**  
ACTION AID  
237, JODHPUR PARK  
CALCUTTA-700 068.

**REVATHI NARAYANAN**  
INSTITUTE OF SOCIAL  
STUDIES TRUST (ISST)  
57, GAYATRI DEVI PARK EXTENSION  
16TH CROSS, VYALIKAVALLI  
BANGALORE-560 003.

**PRABHAT DATTA**  
CALCUTTA UNIVERSITY  
PLOT NO. 1A-245, SECTOR III  
SALT LAKE,  
CALCUTTA-700 091.

**GORA BOSE**  
VERDICT SOCIETY  
13-A, NAYAN KRISHNA  
SAHA LAKE,  
CALCUTTA-700 003.

**SHYAMALI GUPTA**  
AIDWA  
59A, PALM AVENUE  
CALCUTTA-700 019.

**MS. SHANTI CHAKRAVARTY**  
DEVELOPMENT DIALOGUE  
19, SARAT CHATTERJEE AVENUE  
CALCUTTA-700 019.

**BALMIKI PRASAD SINGH**  
SECRETARY  
BIHAR RAJYA PANCHAYAT PARISADA  
MUSEUM ROAD, PATNA.

**DURGA JHA**  
RUPANTER  
PLOT NO. 20, SUNDER NAGAR  
RAIPUR  
(M.P.) P.B.O-130-492 001.

**ANIL K. CHOUDHARY**  
POPULAR EDUCATION AND  
ACTION CENTRE  
D-7/7070, VASANT KUNJ  
NEW DELHI-110 070.

**TEJINDER KAUR**  
NATIONAL INSTITUTE OF  
PUBLIC COOPERATION &  
CHILD DEVELOPMENT (NIPCCD)  
5, SIRI INSTITUTIONAL AREA,  
NEW DELHI-110 016.

**SMITA MISHRA**  
ASIAN INSTITUTE OF TECHNOLOGY  
P.O. BOX - 2754  
BANGKOK-10501  
THAILAND.

**GOURI SANKAR SINGH**  
PRESIDENT OF GRAM SWARAJ  
SAMITI AUNTA  
P.O. MOHAMED GHAT, PATNA (BIHAR).

**LALITA MISSAL**  
COUNCIL OF PROFESSIONAL  
SOCIAL WORKERS (CPSW)  
N-3/295, NAYAPALLY  
BHUBANESWAR-751 015  
ORISSA.

**MANJU PRAVA DHAL**  
CENTRE FOR ACTION RESEARCH AND  
DOCUMENTATION (CARD)  
1/7, HIG BARAMUNDA HOUSING BOARD  
BHUBANESWAR-751 003  
ORISSA.

**RAMA SUBUDHI**  
INSTITUTE FOR WOMEN'S WELFARE  
COURT PETA  
BERHAMPUR  
DIST. GANJAM  
PIN. 766 004  
ORISSA.



**ARTTABANDHU MISHRA**  
SAMBALPUR UNIVERSITY  
C-28, JYOTI VIHAR  
BURLA-768019  
DIST. SAMBALPUR  
ORISSA.

**KALPANA MOHAPATRA**  
CENTRE FOR YOUTH &  
SOCIAL DEVELOPMENT (CYSD)  
A-70, SAHEED NAGAR  
BHUBANESWAR-751 007  
ORISSA.

**SHIKHA NAYAK**  
ORISSA VOLUNTARY HEALTH  
ASSOCIATION (OVHA)  
317, PARK VIEW  
MAUSIMA TEMPLE CHOWK  
BHUBANESWAR-751 014  
ORISSA.

**PRANATI MISHRA**  
MAHILA VIKASH  
AT/PO. TARBOD  
KOMNA-76 106  
DIST. NUAPADA  
ORISSA.

**DOLLI DASH**  
TARPUR WEAVING CENTRE  
TARPUR  
JAGATSINGHPUR  
PIN. 754 133  
ORISSA.

**UMAKANTA PATRO**  
**SUSANTA KUMAR BAHINIPATI**  
CENTRE FOR SOCIAL  
DEVELOPMENT (CSD)  
157, DHARAM VIHAR  
KHANDAGIRI  
BHUBANESWAR-751 030  
ORISSA.

**HARAPRIYA NAIK**  
JANAMANGAL MAHILA SAMITI  
AT/PO. DIMIRISENA  
VIA. BASUDEVPUR, DIST. PURI  
PIN. 752 013, ORISSA.  
**TAPASHI PRAHARAJ**  
AIDWA  
7/13, TYPE 'B' (R), UNIT IX  
BHUBANESWAR-751 007

**AJIT KUMAR SAHOO**  
PANCH SAKHA CLUB  
AT. TAHARPUR  
PO. BAHANAGA  
DIST. BALASORE  
ORISSA.

**PANKAJ KUMAR SATAPATHY**  
SOCIAL ADVANCEMENT  
GUIDANCE AND ACTIONS IN  
RURAL (SAGAR)  
AT. CHANCHADAPADIA  
PO. BERHAMPUR  
DIST. GANJAM  
ORISSA.

**KAILASH CHANDRA SAHU**  
GRAM MANGAL PATHAGAR  
AT/PO. SALEPALI  
VIA. JARASINGHA  
BOLANGIR-767 067  
ORISSA.

**DR. SARASWATI SWAIN**  
NATIONAL INSTITUTE OF  
APPLIED HUMAN RESEARCH  
AND DEVELOPMENT (NIAHRD)  
KALYANI NAGAR  
CUTTACK-13, ORISSA.

**ARCHANA NAYAK**  
AWARENESS  
PLOT NO. 1690  
MAHATABA ROAD  
OLD TOWN, BHUBANESWAR  
ORISSA.

**DR. KHIRENDRA MISHRA**  
**DR. SABITA MOHAPATRA**  
INSTITUTE FOR COMMUNITY  
DEVELOPMENT (ICD)  
22, FOREST PARK  
BHUBANESWAR-751 009  
ORISSA.

**SABITA SWAIN**  
NYSASDRI  
N-3/445, IRC VILLAGE  
BHUBANESWAR  
ORISSA.

**BHAGABATA PRASAD MOHANTY**  
NYSASDRI  
AT. SANTHPUR  
VIA. GONDIA  
DIST. DHENKANAL  
ORISSA.

**DILLIP KUMAR DAS**  
**B. SALEEM FAROOK**  
ANTODAYA  
AT. KANIGUMA  
VIA. BHAWANIPATNA  
KALAHANDI-766 001  
ORISSA.



**SURESH KUMAR ACHARYA**  
**SUDHARANI ROUT**  
VIVEKANANDA INSTITUTE OF  
SOCIAL AND ALLIED SERVICES  
WORK (VISWAS)  
AT/PO. KHARIAR ROAD  
DIST. NUAPADA, ORISSA.

**RADHAKANTA DAS**  
**BIJAYA MAHARANA**  
SAMUHA VIKAS  
BAHADAJHOLA  
NAYAGARAH-752082  
ORISSA.

**SANDHYA NAYAK**  
**ANITA NAYAK**  
GHUMSAR MAHILA  
SANGATHAN (GMS)  
AT/PO. G. UDAYAGIRI  
PHULBANI-762100  
ORISSA.

**KUMARI NAYAK**  
MAHILA UNNAYAN SANGHA  
KURDOL, ANGUL,  
ORISSA.

**G. SUBARNARANI**  
MAHILA VIKAS SAMBAYA  
NIGAM (MVSN)  
QRS. NO. VII/7, UNIT-1  
A.G. SQUARE  
BHUBANESWAR-751 009  
ORISSA.

**MINATI PADHI**  
INSTITUTE FOR WOMEN  
DEVELOPMENT (IWD)  
N-3/274, JAYADEV VIHAR  
BHUBANESWAR,  
ORISSA.

**JHARANA SWAIN**  
UTKAL UNIVERSITY  
PLOT NO. 18, ASHOK NAGAR  
BHUBANESWAR,  
ORISSA.

**PROF. L.K. MOHAPATRA**  
UTKAL UNIVERSITY  
16, SATYA NAGAR,  
BHUBANESWAR-751 001  
ORISSA.

**SANJUKTA SATAPATHY**  
PIPAR  
MAHIMAGADI,  
DHENKANAL-759014  
ORISSA.

**RADHA NATH MISHRA**  
LECTURER IN POLITICAL  
SCIENCE  
F.M. COLLEGE  
BALASORE, ORISSA.

**ANITA MISHRA**  
UTKA UNIVERSITY  
M-6/51, ACHARYA VIHAR  
BHUBANESWAR-751 013  
ORISSA.

**GEETANJALI MOHAPATRA**  
ANTYODAYA CHETANA  
MANDAL  
AT/PO. RASGOVINDPUR  
VIA. R. PUR,  
DIST. MAYURBHANJ  
ORISSA.

**ROCHITA TALUKDER**  
UNICEF  
253, FOREST PARK  
BHUBANESWAR  
ORISSA.  
**SUJATA DEWEE**  
AKSS  
AT/PO. KANAS  
DIST. PURI  
ORISSA.

**MINATI DAS**  
RESEARCH SCHOLAR  
DEPARTMENT OF POLITICAL SCIENCE  
UTKAL UNIVERSITY  
VANI VIHAR  
BHUBANESWAR  
ORISSA.

**MALASINHA DASH**  
**KAMINI MOHAPATRA**  
**SURENDERA KHEMUNDU**  
**SUSANTA DAS KULDIP**  
ANWESHA  
INDIRA NAGAR  
NEAR K.P.G. BANK  
AT/PO. SEMILGUDA  
DIST. KORAPUT, ORISSA.

**KIRAN SAHOO**  
INSTITUTE FOR COMMUNITY  
DEVELOPMENT (ICD)  
22, FOREST PARK  
BHUBANESWAR-751 009  
ORISSA.

**ASHOK MOHAPATRA**  
SUN TIMES JOURNALIST  
M-5/14, ACHARYA VIHAR  
BHUBANESWAR-751 013  
ORISSA.



**MANIPADMA JENA**  
FREELANCE JOURNALIST  
19, SATYA NAGAR  
BHUBANESWAR-751 007  
ORISSA.

**RAJRAM SATPATHY**  
JOURNALIST  
TIMES OF INDIA  
BHUBANESWAR  
ORISSA.

**SUSAMA PATNAIK**  
CENTRE FOR COMMUNITY  
DEVELOPMENT (CCD)  
PALACE STREET  
PARALAKHEMUNDI  
GAJAPATI  
ORISSA.

**PROF. NARAYAN HAZARI**  
PROF. IN POLITICAL SCIENCE  
UTKAL UNIVERSITY  
BHUBANESWAR, ORISSA.

**AMARJIT**  
**MADAN MOHAN SAHU**  
BGVS  
A/12, (HIG) HOUSING BOARD SOCIETY  
BARAMUNDA,  
BHUBANESWAR-751 003  
ORISSA.

**NIRUPAMA PAL**  
VICE-CHAIRMAN, BIRIDI BLOC  
BIRIDI, JAGATSINGHPUR  
ORISSA.

**KABITA NAIK**  
KHALARI PANCHAYAT  
ANKULA, ANGUL  
ORISSA.

**BADAL TAH**  
ANKURAN  
NARAYANPATNA  
KORAPUT  
ORISSA.

**DR. NANDITA MISHRA**  
LECTURER IN GEOGRAPHY  
RAVENSHAW COLLEGE  
CUTTACK, ORISSA.

**PRAVATI MISHRA**  
STATE SOCIAL WELFARE  
ADVISORY BOARD  
BHUBANESWAR  
ORISSA.

**ANASUYA PANDA**  
SOCIETY FOR DEVELOPMENT  
ACTION  
P.O. BOX NO. 16  
BARIPADA-757 001  
ORISSA.

**SUSAMA NATH**  
PARANGA G.P.  
AT. BHUBANPUR  
PO. PARANGA  
ANGUL, ORISSA.

**MANIKA NAIK**  
ANTULIA G.P.  
RUDASINGA  
ANTULIA, ANGUL  
ORISSA.

**BITHIKA PATTNAIK**  
VICE-CHAIRPERSON  
BANKI BLOCK SUTAHAT  
CUTTACK, ORISSA.

**JACINTHA VINCENT**  
ANKURAN  
NARAYANPATNA  
KORAPUT  
ORISSA.

**BALAJI PANDEY**  
**KANCHAN MONDAL**  
**SAROJ KUMAR DASH**  
**LAXMIKANTA PALO**  
**SUBHASHREE DAS**  
**KAMALA MOHAPATRA**  
**ATASHI PRAHARAJ**  
INSTITUTE FOR SOCIO-  
ECONOMIC DEVELOPMENT (ISED)  
28, DHARMA VIHAR  
BHUBANESWAR-751 030  
ORISSA.







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The main objectives of the Institute are :

- (i) to promote, organise and undertake research and programmes for integrated rural development and improve the quality of life of rural people;
- (ii) to promote a basic forum for research on developmental issues and socio-economic progress with emphasis on both the theoretical and applied aspects; and
- (iii) to provide support services to field level activists and organisations in order to strengthen their capacities for effective functioning.



**INSTITUTE FOR SOCIO-ECONOMIC DEVELOPMENT**

28, DHARMA VIHAR, BHUBANESWAR, ORISSA-751 030, INDIA

PHONE : (0674) 470302 FAX : 91-674-470312